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10 SUNNYSIDE DEVELOPMENT COMPANY LLC

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 SUNNYSIDE DEVELOPMENT
16 COMPANY LLC,

17 Plaintiff,

18 vs.
19

20 CAMBRIDGE DISPLAY TECHNOLOGY
21 LIMITED, CDT OXFORD LIMITED,
22 OPSYS LIMITED, and JOHN DOES I
23 through V,

24 Defendants.
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No. C-08-1780-MHP

**PLAINTIFF'S ADMINISTRATIVE MOTION
PURSUANT TO LOCAL RULE 79-5(d) FOR
FILING DOCUMENTS DESIGNATED BY
ANOTHER PARTY AS CONFIDENTIAL**

Date: September 8, 2008

Time: 2:00 p.m.

Courtroom 15, 18th Floor

Hon. Marilyn Hall Patel

Filed herewith:

1. Affirmation of Christoph C. Heisenberg
[Confidential Materials]

2. Plaintiff's Unredacted Memorandum of Law In
Opposition To CDT Limited's Motion To Dismiss

3. Plaintiff's Redacted Memorandum of Law in
Opposition To CDT Limited's Motion To Dismiss

PLEASE TAKE NOTICE THAT, pursuant to Local Rule 79-5(d), Plaintiff Sunnyside Development Company LLC (“Sunnyside”) submits this motion to determine whether a sealing order is appropriate. As is set forth herein, the subject documents have been designated as confidential material by non-party Ernst & Young LLP, and Local Rule 79-5(d) requires Sunnyside to file this motion to determine whether or not these materials should be sealed from the public record.

The subject materials (copies of which have been lodged with the Clerk of the Court) are annexed as Exhibits 1 through 3 to the Affidavit of Christoph Heisenberg. In addition, Sunnyside hereby submits both an unredacted and a redacted version of its memorandum in opposition to the motion of defendants Cambridge Display Technology Limited (“CDT Limited”) and CDT Oxford Limited to dismiss the Complaint.

Local Rule 79-5(d) provides:

Filing a Document Designated Confidential by Another Party. If a party wishes to file a document that has been designated confidential by another party pursuant to a protective order, or if a party wishes to refer in a memorandum or other filing to information so designated by another party, the submitting party must file and serve an Administrative Motion for a sealing order and lodge the document, memorandum or other filing in accordance with this rule. If only a portion of the document, memorandum or other filing is sealable, the submitting party must also lodge with the Court a redacted version of the document, memorandum or other filing to be placed in the public record if the Court approves the requested sealing order. Within five days thereafter, the designating party must file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality. If the designating party does not file its responsive declaration as required by this subsection, the document or proposed filing will be made part of the public record.

Local Rule Civil Procedure 79-5(d). Ernst & Young LLP produced these documents subject to an Agreement for Protective Treatment of Confidential Information Relating To: Opsys Limited (the “Agreement”), a copy of which is attached as Exhibit 13 to the accompanying Heisenberg

